

SENATE BILL NO. 279

BY SENATOR WALSWORTH AND REPRESENTATIVE PETERSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To enact R.S. 29:726.2, relative to the use of public facilities as emergency evacuation  
3 shelters; to provide for terms; to provide for certain entities to identify and maintain  
4 a list of public facilities suitable for use as emergency evacuation shelters; to provide  
5 for duties; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 29:726.2 is hereby enacted to read as follows:

8 §726.2. Public evacuation shelters

9 A. It is the intent of the legislature that this state not have a deficit of  
10 safe public evacuation shelter space in any region of the state by the year 2014  
11 and thereafter.

12 B. The director of the parish office of homeland security and emergency  
13 preparedness may request the use of public facilities, including schools,  
14 postsecondary education facilities, and other facilities owned or leased by the  
15 state or local governments, but excluding hospitals or nursing homes, which are  
16 suitable for use as public evacuation shelters and which are not subject to an  
17 existing and contrary agreement for use during an emergency response. The  
18 director of the parish office of homeland security and emergency preparedness  
19 shall coordinate with the appropriate school board, university, community  
20 college, technical school, or local governing board when requesting the use of  
21 such facilities as public evacuation shelters.

1           C. Any public facility that is the recipient of retrofitting or hardening  
2           construction that is funded from monies appropriated by the state or federal  
3           government for purposes of being used as a shelter, shall make the facility  
4           available for use as a public evacuation shelter at the request of the director of  
5           the Governor's Office of Homeland Security and Emergency Preparedness.  
6           Public facilities shall include all schools, postsecondary education facilities, and  
7           other facilities owned or leased by the state or local governments, excluding  
8           hospitals or nursing homes, that meet the minimum standards for use as an  
9           emergency shelter.

10           D. The Governor's Office of Homeland Security and Emergency  
11           Preparedness shall select from an inventory list of those facilities recommended  
12           by the directors of the parish offices of homeland security and emergency  
13           preparedness for retrofitting those public facilities that, with reasonable  
14           hardening or retrofitting modifications, would accelerate the state and local  
15           efforts to reduce the deficit in shelter space.

16           E. As used in this Section:

17           (1) "Public facilities" means those facilities which have been or will be  
18           constructed with any funds appropriated by the state and applied towards the  
19           construction costs of the facility.

20           (2) "Suitable for use as an emergency shelter" means that a public  
21           facility intended to be utilized as a public evacuation shelter should meet  
22           minimum criteria for structural survivability and sufficiency of operational  
23           space using the structural requirements of American Red Cross Standard ARC  
24           4496, "Guidelines for Hurricane Evacuation Shelter Selection," and based on  
25           guidance from the Federal Emergency Management Agency.

26           F. Notwithstanding any other provision of law to the contrary, nothing  
27           herein shall restrict or impair the rights and responsibilities of a parish or  
28           police jury president to respond to an emergency.

29           Section 2. This Act shall become effective upon signature by the governor or, if not  
30           signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
3 effective on the day following such approval.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_